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EXAMINER

JOHNSON, MARLON B

ART UNIT PAPER NUMBER

2153

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/369,114

Applicant(s)

KRONZ, JASON A.

Examiner

Marlon Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 16-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

Detailed Action

Specification

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- Fig. 3: 318
- Fig. 4: 430

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The disclosure is objected to because of the following informality: 384 should be bolded, on pg. 21, line 13, along with the rest of the references in the specification.

Appropriate correction is required.

Claim Rejections – 35 U.S.C. 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 18-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In considering claim 18; Claim 18 recites the limitation "...wherein the service request from the local device comprises a request to establish a logical connection between the

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local device and the remote server" in claim 17. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections – 35 U.S.C. 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

6. Claims 1, 4-9, 16-18, 20, 26-28, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Rossmann (6,430,409).

In considering claims 1 and 7,

Rossmann discloses a method and apparatus for a first device to access the services of a second device, comprising the steps of:

establishing a first, communicative connection between the first consumer device and a first server (via Data Capable Cellular Telephone Network, Fig. 1) (see Fig. 1, Cellular Phone 100, Corporate Wide Area Network 120, Computer Server 121);

establishing a second communicative connection between the first server and a second server (via Two-Way Pager Network 111, Fig. 1) (see Fig. 1, Corporate Wide Area Network 120, Computer Server 121, Internet 140, Computer Server 141);

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establishing a third, communicative connection between the second server and the second device (via Public Switched Network 112, Fig. 1) (see Fig. 1, Internet 140, Computer Server 141, Telephone 102);

requesting a service, by the first device, from the second device utilizing the first, second, and third communicative connections (see col. 9, lines 23-30); and

performing, at the second device, the requested service (see col. 9, lines 23-30).

In considering claim 8,

Rossmann discloses a server device that is capable of communicating over a first communications link with a client device and over a second network link to a second server device comprising:

a communications link interface for communicating between the server device and the client device (in order for the server device to communicate with the client device via a communications link, it must inherently include a communications link interface);

a network interface for communicating between the server device and a second server device (in order for the server device to communicate with the client device over a network, it must inherently include a network interface);

a processing unit, being operable to send and receive data over the communications link interface and over the network interface (in order for the server device to send and receive data over the communications link interface and over the network interface, it must inherently include a processing), said processor being further operable to:

establish a communications link for data communication through the link interface with a client device (see Fig. 1, Public Switched Network 112, Data Capable Cellular Telephone Network 110);

establish a network link for data communication through the network interface to the second server device (see Fig. 1, Modem 103, Cellular Phone "Antennae" 100);

forward service requests from the client device to the second server device (see col. 8, lines 1-5); and

forward responses to the service requests from the second server device to the client device (see col. 10, lines 3-9).

In considering claim 16,

Rossmann discloses a system for allowing devices to communicate and share information, resources, and functionality, that normally could not communicate due to the inability to communicate directly with each other, the system comprising:

a local server able to communicatively couple to a local device (see Fig. 1, Computer Server 121);

a remote server able to communicatively couple to a remote device and to the local server (see Fig. 1, Computer Server 141);

the local server being operative to:

receive the request message from the local device (see col. 8, lines 42-49);

provide a request message to the remote server of the reception and content of the service request (see col. 10, lines 3-9);

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receive a response message from the remote server, the response message being affiliated with the request message; and respond to the local device with information indicative of the response message (via two-way data communications) (see col. 10, lines 3-9); and the remote server being operative to:

receive the request message from the local server (see col. 10, lines 3-9); perform further processing commensurate with the request message (see col. 10, lines 28-39); and

provide the response message to the local server (via two-way data communication) (see col. 10, lines 3-9).

In considering claim 4,

Rossmann discloses a method further comprising, after the establishing a second communicative connection step, the step of reporting to the first device a listing of services available from the second device (see Fig. 2B, Menu 201; col. 12, lines 47-55).

In considering claim 5,

Rossmann discloses a method wherein the establishing a first communicative connection step comprises the step of establishing a wireless communicative connection between the first device and a first server (see Fig. 1, Data Capable Cellular Telephone Network 110).

In considering claim 6,

Rossmann discloses a method wherein the establishing a third communicative connection step comprises the step of establishing a wireless communicative connection between the second device and the second server (see Fig. 1, Two-Way Pager Network 111) (note: although

examiner used Public Switched Network 112 for establishing the third communicative connection described in claim 1, the third connection can also be from the Corporate Local Area Network 130 and Computer Server 131 to the Two-Way Pager 101).

In considering claim 9,

Rossmann discloses a server device wherein the communications link is a wireless interface (see Fig. 7, UDP Interfaces 714 and 748).

In considering claims 17 and 18,

Rossmann discloses a system wherein the service request from the local device comprises a request to establish a logical connection between the local device and the remote server, and includes an IP network address of the remote server (see Fig 8A, Steps 803 and 860; Fig. 1, Cellular Phone 100, Internet 140, Computer 141) (note: all messages/service requests sent from the local device to the remote server must inherently include an IP address of the computer server 141 in order for it to be correctly identified through internet 140).

In considering claim 20,

Rossmann discloses a system wherein after establishing a link with the remote server, the local server receives a message from the remote server indicating that the remote server is communicatively compatible with the local device (via the TIL) (see col. 43, lines 51-63; Fig. 7, TIL Decks 760).

In considering claims 26 and 27,

Rossmann discloses a system wherein the service request from the local device comprises a request to disconnect a logical connection between the local device and the remote server, and the local server is operative to provide the request message to the remote server by:

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transmitting to the remote server, a request to disconnect the logical connection between the local device and the remote server (see Fig. 13, “Connection Terminated”) (note: a client operating with TCP inherently transmits a disconnect request to a server by turning on the FIN flag); and

receiving a status indicator from the remote server indicating that the logical connection is disconnected (see Fig. 13, “Connection Terminated”) (note: a client operating with TCP inherently receives a disconnect status indicator from a server, in the form of an ACK – acknowledgement, when the servers receives the FIN from the client).

In considering claim 28,

Rossmann discloses a system wherein the service request message from the local device comprises a request for the remote device to provide a service (see col. 8, lines 1-5; col. 10, lines 3-9).

In considering claim 30,

Rossmann discloses a system wherein the service request message from the local device comprises a request for the remote device to provide a service and the remote device is operative to perform further processing commensurate with the request message from the local server by requesting the remote device to perform the service identified in the service request and the request message (see col. 8, lines 1-5; col. 10, lines 3-9; col. 10, lines 28-39).

Claim Rejections – 35 U.S.C. 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 10, 11, 19, 20, 21, 22, 23, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rossmann as applied to claims 1 and 16 above, and further in view of Bui et al. (6,412,007).

In considering claim 2,

Although Rossmann shows substantial features of the claimed invention, he fails to disclose a method wherein the step of establishing the second communicative connection further comprises the step of verifying that the first device has authorization to establish the second communicative connection. However, Bui et al., whose invention is a mechanism for authorizing a data communication session between a client and a server, discloses such a step of verifying that a device has authorization to establish the second communicative connection (see col. 7, lines 42-53). Therefore, given the teachings of Bui et al., it would have been obvious for a person having ordinary skills in the art to modify Rossmann by verifying that the first device has authorization to establish the second communicative connection in order to provide access to secure private devices and/or servers for allowed users only.

In considering claims 10 and 11,

Bui et al. discloses a method and apparatus for a first client device to access the services supplied by a second client device, comprising the steps of:

establishing a first link between the first client device and a first server (see Fig. 1A, Client 102a and Network Access Server 104);

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transmitting a connection command over the first link to the first server, the connection command being operative to request a connection with a second server (Fig. 1B, Network 114, DSCs 108, 110, and 112) and comprises an address of the second server, a user identification, and a password (see col. 1, lines 39-44; col. 14, lines 42-53);

establishing a second link between the first server and a second server (see Fig. 1B, Network 114, DSCs 108, 110, and 112; col. 8, lines 14-15);

transmitting the connection command over the second link from the first server to the second server (see col. 7, lines 54-56);

verifying the authorization of the user identification and password at the second server (see col. 8, lines 60-65);

notifying the first server over the second link from the second server of the acceptance of the connection command upon success of the verifying step (see Fig. 5C, Steps 528 and 532);

notifying the first client device from the first server over the first link of the acceptance of the connection command (note: if the server is notified of the acceptance, the client must also inherently be notified of the acceptance);

Additionally, Rossmann discloses a method and apparatus for a first client device to access the services supplied by a second client device, comprising the step of:

requesting a listing from the first server of available services from the second client device wherein the first server requests such a listing from the second server, the second server maintaining such a listing from the second client device which is communicatively coupled to the second server over a third link, and the listing

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identifying at least one service offered by the second client device (see Fig. 2B, Menu 201; col. 12, lines 47-55);

the first consumer device requesting a service from the listing to be performed by the second client device by relaying a service request to the second client device (see Fig. 2B, Menu 201; col. 12, lines 47-55);

performing the service requested in the service request by the second client device (see Fig. 2B, Menu 201; col. 12, lines 47-55);

In considering claim 19,

Bui et al. discloses a system wherein the service request from the local device further includes a user identification and a password, and the local server is operative to provide the request message to the remote server and receive a response message from the remote server by:

establishing a link with the remote server (see Fig 5A, 502);

transmitting the user identification to the remote server (see col. 1, lines 39-44; col. 14, lines 42-53);

receiving a first status indicator from the remote server in response to the user identification (see Fig. 5C, Steps 530 and 534);

transmitting the password to the remote server (see col. 1, lines 39-44; col. 14, lines 42-53); and

receiving a second status indicator from the remote server in response to the password (see Fig. 5C, Steps 530 and 534) (note: the user identification and password are responded to at the same time).

In considering claim 21,

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Bui et al. discloses a system wherein the first status indicator indicates that the user identification is not accepted by the remote server (see Fig. 5C, Step 530).

In considering claim 22,

Bui et al. discloses a system wherein the first status indicator indicates that the user identification is accepted by the remote server (see Fig. 5C, Step 534).

In considering claim 23,

Bui et al. discloses a system wherein the second status indicator indicates that the password provided is valid for the user identification (see Fig. 5C, Step 534) (note: as discussed above, the user identification and password are responded to at the same time by the same status indicator).

In considering claim 24,

Bui et al. discloses a system wherein the second status indicator indicates that the password provided is invalid for the user identification (see Fig. 5C, Step 530).

In considering claim 25,

Bui et al. discloses a system wherein the local server is operative to respond to the local device with information indicative of the response message by being further operative to:

provide a first response if the response message indicates that the logical connection could not be established (see Fig. 5C, Step 530);

provide a second response if the response message indicates that the user identification and password are not both acceptable by the remote server (see Fig. 5C, Step 530; col. 7, lines 42-53);

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provide a third response if the response message indicates that the logical connection is established (see Fig. 5C, Step 534); and

provide a fourth response if the response message indicates that a logical connection already exists with another server (see Fig. 5A, Step 506; Fig. 5B, Step 515).

9. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rossmann as applied to claim 16 above, and further in view of Craddock et al. (6,351,771).

In considering claim 29,

Although Rossmann shows substantial features of the claimed invention, he fails to disclose a system wherein the service request message from the local device comprises a request for the remote server to identify a device type and a service type for at least one remote device that can be communicatively coupled to the remote server. However, Craddock et al., whose invention is a distributed service network system capable of transparently converting data formats and selectively connecting to an appropriate bridge in accordance with clients characteristics, discloses such a message comprising a request to identify a device type and service type for at least one device (see col. 4, lines 49-54; col.5, lines 21-23). Therefore, given the teachings of Craddock et al., it would have been obvious for a person having ordinary skills in the art to modify Rossmann by including a request for the remote server to identify a device type and a service type for at least one remote device in order for the local server to configure the transactions of the local client to be appropriate for the remote device (e.g. memory space of the remote device).

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rossmann.

In considering claim 3,

Official notice is taken regarding the step of sending from the second device to the first device the status of the performing step. It would have been obvious for one of ordinary skill in the art to provide the status of the performing step to the request application, such as the HTTP (hypertext transfer protocol) returned error messages. Many common client/server access requests provide the status of the performing step to the requesting client in order to let the client know why or why not the service is available.

Conclusion

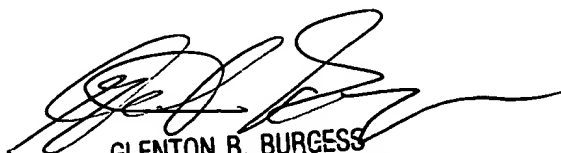
11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (Ludwig et al. EP1003114A1, Singh et al. 5758083, Boss et al. 6157618, Call 6154738, Szlam 6359892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marlon Johnson whose telephone number is (703) 305-4642. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess, can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3230.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marlon B. Johnson


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